

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF FLORIDA

CASE NO. \_\_\_\_\_

JAWAD SEBRING, LLC

Plaintiff,

v.

WESTCHESTER SURPLUS LINES  
INSURANCE COMPANY,

Defendant.

\_\_\_\_\_ /

**NOTICE OF REMOVAL**

Defendant, Westchester Surplus Lines Insurance Company (“Westchester”), by and through undersigned counsel, hereby files this Notice of Removal, and states as follows:

1. On September 23, 2022, Plaintiff, Jawad Sebring, LLC, (“Jawad Sebring”) filed a lawsuit in the Circuit Court of the Tenth Judicial Circuit in and for Highlands County, Florida (Case No. GC-2022-00445) against Westchester in which Plaintiff seeks coverage under policy number FSF16162784 001 based on property damage allegedly sustained at the premises located at 2812 US 27 N., Sebring, FL 33870 (“the Property”). The Summons and Complaint were served on the Chief Financial Officer of the State of Florida, which then forwarded these documents to Westchester on November 3, 2022.

2. The Civil Cover Sheet for this Court is attached hereto as **Exhibit A** – **Federal Civil Cover Sheet**.

3. Copies of the State Court Proceedings are attached hereto as follows: **Exhibit B** – **State Court Civil Action Summons**; **Exhibit C** – **State Court Complaint**; **Exhibit D** – **State Court Notice Designating E-mail Address for Service of Court**; **Exhibit E** – **State Court**

**Plaintiff's Notice of Service of First Interrogatories to Defendant; Exhibit F – State Court Plaintiff's Notice of Taking Videotaped Deposition Duces Tecum; Exhibit G – State Court Plaintiff's Notice of Taking Deposition Duces Tecum of Defendant's Designated Corporate Representative; Exhibit H – State Court Plaintiff's Request for Production to Defendant; Exhibit I – Defendant's Motion for Extension of Time to Respond to Plaintiff's Complaint.**

These constitute all of the process, pleadings, and orders served upon Westchester or upon the Plaintiff to date.

4. As grounds for removal, Westchester asserts that the above-styled case is one over which this Court has original jurisdiction pursuant to 28 U.S.C. §1332, and that this action is one which may be removed to this Court pursuant to 28 U.S.C. §1441 in that the matter in controversy exceeds the sum of \$75,000, exclusive of interest and costs, and is between citizens of different states.

5. Plaintiff, Jawad Sebring, LLC is a Florida limited liability company whose members are all citizens of Florida. Plaintiff is therefore domiciled in and is a citizen of Florida for purposes of diversity jurisdiction.

6. Upon information, investigation, and belief, and to the best of the undersigned's knowledge, Plaintiff, Jawad Sebring, LLC is a single-member LLC. Ali H. Jawad is the only known member of Jawad Sebring and is a citizen of Florida. Ali H. Jawad is a citizen of Florida because he is domiciled in the State of Florida. See Travaglio v. Am. Express Co., 735 F. 3d 1266, 1268-1269 (holding that citizenship means domicile for diversity purposes and domicile requires both residence in a state and an intention to remain there indefinitely). Ali H. Jawad is domiciled at 7630 Blue Quail Lane, Orlando, FL 32835, the same address as Jawad Sebring, LLC. Additionally, to that end, per the public records, Ali H. Jawad has claimed the homestead exemption at the property located at

7630 Blue Quail Lane, Orlando, FL 32835, for the year 2022, and therefore “in good faith ma[de] the property [his] permanent residence. See, Fla. Stat. § 196.031(1)(a); see also Articles of Incorporation of Jawad Sebring, LLC and Orange County Property Appraiser Records attached hereto as **Composite Exhibit “J.”** Accordingly, Plaintiff, Jawad Sebring, LLC, is a limited liability company whose members are all domiciled in and are all citizens of the State of Florida for purposes of diversity jurisdiction.

7. Furthermore, Westchester Surplus Lines Insurance Company, is a Georgia corporation engaged in the insurance business with its principal place of business in Georgia. Accordingly, this action is between citizens of different states pursuant to 28 U.S.C. § 1332(a).

8. Plaintiff bases its claim for insurance coverage in Plaintiff’s Complaint which states the amount of damages is over \$100,000.00. (A copy of the State Court Complaint is attached hereto as **Exhibit C.)** Thus, an actual cause or controversy has arisen between Plaintiff and Westchester, and the amount of controversy exceeds \$75,000, exclusive of interest and costs, thus satisfying the amount in controversy requirement pursuant to 28 U.S.C. § 1332(a).

9. Westchester is contemporaneously serving written notice of the filing of this Notice of Removal to the plaintiff and to the Clerk of the Circuit Court of the Tenth Judicial Circuit in and for Highlands County, Florida, pursuant to 28 U.S.C. § 1446(d).

**WHEREFORE**, Westchester Surplus Lines Insurance Company files this Notice of Removal pursuant to 28 U.S.C. § 1446.

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on December 5, 2022, the foregoing document was electronically filed with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached service list in the manner specified, either via transmission of notices of electronic filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically notices of filing.

/s/ Laura F. Farrant  
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